

Information Standard

IS31: Retention and Disposal of Public Records

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PUBLIC

Purpose

The [Public Records Act 2002](#) (the Act) prohibits the disposal of public records without the permission of the State Archivist. The primary purpose of this Information Standard, which is managed and administered by Queensland State Archives, is to help public authorities meet their recordkeeping obligations under the Act.

The principles in this Information Standard are underpinned by the principles of sound recordkeeping as outlined in [Information Standard 40: Recordkeeping](#) and apply to records in all formats including technology-dependent records.

Systematic, transparent and consistent disposal programs facilitate and support:

- Efficient delivery of Government services
- Continuity of business processes
- Accountability
- Accessibility of Government information, and
- Preservation of Queensland's cultural resources.

In this Information Standard, the term 'disposal'¹ includes:

- Keeping all or part of a record for a period of time
- Destroying, deleting or migrating a record or part of a record, and
- Abandoning, transferring, donating or selling a record or part of a record.

Definitions for other terms used in this Information Standard can be found in the [Glossary of Archival and Recordkeeping Terms](#) on the Queensland State Archives website.

¹ Also referred to as 'disposition' in other Australian and international jurisdictions.

Policy

Public authorities must ensure that records are appraised and retained according to accountability, legal, administrative, financial, research and community requirements and expectations. Those public records deemed to be of continuing value need to be identified and retained in a useable form for a minimum period as specified in an approved Retention and Disposal Schedule.

There are two mandatory principles in this Information Standard, which are:

- Public authorities must ensure public records are retained for as long as they are required, and
- The disposal of public records must be authorised by the State Archivist.

Scope

This Information Standard relates to the retention and disposal domain of the Information Policy Framework of the [Queensland Government Enterprise Architecture \(QGEA\)](#). It applies to public authorities as defined under the [Public Records Act 2002](#).

The principles of this Information Standard apply to records in all formats including technology-dependent records. Technology-dependent records are records that require a technological device for their creation, storage, access and use. It covers records under the control of a public authority, including records in the custody of shared service providers and other entities performing functions on behalf of the public authority (e.g. commercial storage providers).

Issue and review

This Information Standard is issued under the authority of the State Archivist in s.25 of the [Public Records Act 2002](#). It is published within the QGEA and is managed by the Queensland Government Chief Information Office (QGCIO). It was developed by Queensland State Archives and approved by the Director-General, Department of Public Works on 30 June 2009.

This QGEA Information Standard will be reviewed periodically. The next review date is June 2012.

Implementation

The authority for the implementation of the mandatory principles of this Information Standard is primarily derived from the [Public Records Act 2002](#). This Standard forms part of the Queensland State Archives' whole-of-Government Recordkeeping Policy Framework which identifies the key policies, advice, guidelines and tools relevant to Queensland public authorities.

This Standard expands on Principle 7 of [Information Standard 40: Recordkeeping](#) in relation to the retention of public records for as long as they are required for business, legislative, accountability and cultural purposes.

Further implementation advice to support each of the minimum requirements in this Information Standard may be found in the [Guideline for the Development of Retention and Disposal Schedules](#) and the [Guideline for the Implementation of Retention and Disposal Schedules](#).

For general advice on recordkeeping refer to Queensland State Archives' [Guideline for Recordkeeping](#).

Mandatory principles

Principle 1: Public authorities must ensure public records are retained for as long as they are required

The Chief Executive of each public authority is accountable for the creation, management, appraisal and retention of its public records to ensure the accountability, legal, administrative, financial and research needs of the Government and the community are met. In consultation with Queensland State Archives, public authorities are responsible for assessing the value of the records they hold and setting appropriate retention periods for those records. Decisions on retention periods are documented in a Retention and Disposal Schedule. At a minimum, public authorities must:

- Develop, and submit for the State Archivist's approval, a Retention and Disposal Schedule covering the core-business records of the agency which meets the requirements of Queensland State Archives' [Guideline for the Development of Retention and Disposal Schedules](#).
- Retain the agency's public records according to the relevant classes under an approved Retention and Disposal Schedule.

Implementation advice

Retention of Records

Public authorities are required to manage and preserve records to ensure they are accessible and unalterable for their required retention period. For records in electronic formats, this may involve migrating records to new formats, or maintaining basic technical infrastructure to support records which remain in decommissioned business systems. For hard copy records, this may involve providing ongoing storage spaces which protect public records from damage from pests and environmental hazards.

Appraisal of Records

To manage effectively and retain public records for as long as they are required, it is essential that public authorities develop a Retention and Disposal Schedule to cover their core-business records. Appraisal refers to the process of identifying and analysing the functions and activities of agencies and assessing the value of the related records: having regard to accountability, legal, administrative, financial, research and community requirements and expectations.

A Retention and Disposal Schedule authorised by the State Archivist is the final outcome of the appraisal process. Benefits of an approved Retention and Disposal Schedule may include:

- Allows the orderly, accountable and compliant retention, destruction or transfer of records after a minimum period of time
- Public records of temporary value can be destroyed, leading to cost and resource savings
- The public authority is provided with a record of its information assets, and
- The permanent and vital records of the agency are identified, allowing for their proper management over time.

Draft Retention and Disposal Schedules submitted to the State Archivist for approval must satisfy the requirements set out in the Queensland State Archives' [Guideline for the Development of Retention and Disposal Schedules](#). Retention and Disposal Schedules which do not meet these requirements may not be approved.

General Retention and Disposal Schedules

The State Archivist has approved the [General Retention and Disposal Schedule for Administrative Records](#) – (known as the GRDS) for use by all public authorities to sentence general administrative records; for example, those created for financial management, asset management, human resource management and information management purposes. No further authorisation is required from the State Archivist for public records sentenced under this Retention and Disposal Schedule. Disposal should be undertaken in accordance with the public authority's records management procedures and Queensland State Archives' [Guideline for the Implementation of Retention and Disposal Schedules](#).

Public authorities are responsible for updating their recordkeeping systems when a new version of the GRDS is released and for ensuring superseded versions are withdrawn from use.

Agency-specific and Sector Retention and Disposal Schedules

The development of an agency-specific Retention and Disposal Schedule covering the agency's core business records is the responsibility of each public authority. Public authorities should notify Queensland State Archives of their intention to develop a Retention and Disposal Schedule so that assistance can be provided to the public authority during the development process.

Queensland State Archives has developed Retention and Disposal Schedules for specific sectors of Government in Queensland, in conjunction with the relevant public authorities (e.g. the *Local Government Sector Retention and Disposal Schedule* and the *University Sector Retention and Disposal Schedule*).

Once approved, it is essential that a public authority periodically reviews and updates its core business Retention and Disposal Schedule to ensure it remains current. Events which may trigger a review include changes in legislative requirements and machinery of government changes.

Public authorities are still required to apply to the State Archivist for permission to destroy original paper records after digitisation or microfilming. For further advice refer to the [Digitisation Disposal Policy](#) and [Microfilming Disposal Policy](#) on the Queensland State Archives website.

Further information on implementing Retention and Disposal Schedules can be found in the [Guideline for the Implementation of Retention and Disposal Schedules](#), and relevant policy documents.

Principle 2: The disposal of public records must be authorised by the State Archivist

The disposal (including the destruction, damage, abandonment, donation, amendment, sale or transfer) of public records (or part of a record) can only be performed with the written authorisation of the State Archivist or other legal authority.² At a minimum, public authorities must:

- Dispose of public records in accordance with a Retention and Disposal Schedule approved by the State Archivist that is current at the time of disposal
- Ensure all disposal is endorsed by the Chief Executive or an authorised delegate
- Ensure the method of destruction of public records is appropriate to the sensitivity of the records and conforms with local environmental regulations,³ and
- Document the disposal of public records.

² Section 13 (b), *Public Records Act 2002*. Public authorities should seek their own legal advice on what constitutes 'other legal authority, justification or excuse' prior to disposal.

³ In some local government areas, certain methods of burning may not be permitted.

Implementation advice

Implementing Retention and Disposal Schedules

Disposal activities should be incorporated into the public authority's compliance program established under Principles 2 and 7 of [Information Standard 40: Recordkeeping](#) and only undertaken in accordance with a current Retention and Disposal Schedule approved by the State Archivist.

Public authorities are not required to notify Queensland State Archives of their intention to dispose of public records sentenced under an approved Retention and Disposal Schedule. However, prior to final disposal, public authorities have a duty of care to ensure that the records are not required for a further period of time by the public authority or the State for any other purpose (e.g. legal action).

Agencies should only retain records for as long as required to minimise the cost of storage and information retrieval. Records appraised as permanent should be transferred to Queensland State Archives once they are no longer required for current business purposes. Details of the transfer process are provided in the Queensland State Archives' [Guidelines on the Disposal and Transfer of Public Records](#).

Public authorities going through administrative change should refer to Queensland State Archives' Public Records Brief on [Machinery of Government Changes and the Management of Public Records](#) for information on approvals required from the State Archivist in relation to the transfer of public records.

Queensland State Archives' [Guideline for the Implementation of Retention and Disposal Schedules](#) provides further advice on the implementation of Retention and Disposal Schedules.

Documenting Disposal

The Chief Executive, as the responsible officer for the public records of the public authority (or their delegate), must authorise the disposal of public records in accordance with a Retention and Disposal Schedule approved by the State Archivist.

Authorisation may be given in the form of policies and procedures for the proper disposal of public records. These protocols may also include:

- when it may be appropriate to consult with, for example, business managers, legal, FOI or insurance officers prior to disposal, and
- a delegation of authority for approving the final disposal of public records due for destruction or transfer to a responsible officer.

Public authorities must document the disposal of public records and the documentation must be retained permanently. At a minimum, this should include:

- Unique record identifier
- Queensland Disposal Authority Number (QDAN), version number and reference number under which the records are disposed
- Disposal sentence (e.g. Retain for 5 years after last action)
- Date of disposal
- Authorising officer
- How the records were destroyed, and
- Who destroyed the records.

These requirements are consistent with the mandatory requirements under the [Queensland Recordkeeping Metadata Standard](#) for documenting the disposal of public records.

Physical Destruction

When destroying records, public authorities should assess the sensitivity of the records and, where appropriate, use methods that completely destroy the records beyond any possible reconstruction. Local

environmental regulations should also be considered. Burial is not an appropriate method of disposal for public records as the records may be recovered.

Public authorities should take steps to ensure all copies of temporary records are destroyed at the same time, including back-up copies, access copies, and copies stored near line, off-line and on physical storage devices.

For more detailed advice on the proper destruction of public records, refer to the Public Records Brief on the [Destruction of Public Records](#) and the [Guideline for the Implementation of Retention and Disposal Schedules](#), which are available from the Queensland State Archives' website.